

AGENDA MEMO

CITY COUNCIL MEETING OF: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-35381 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to the conditions for Rezoning (SDR-35380) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 18 parking spaces where 26 are required for a proposed 7,600 square-foot Fire Station on a portion of an undeveloped lot at the southeast corner of Stella Lake Street and Mount Mariah Drive. This represents a 31% deviation from the standard. Staff can support the Variance request as the parking provided is adequate to meet the maximum staffing level for the fire station, as well as the limited number of visitors expected at the site. If this application is denied, the proposed parking will need to be redesigned to comply with Title 19 and a new Site Development Plan Review would be required.

Issues

- Approval of this request is necessary for the approval of a companion Site Development Plan Review (SDR-35380) for a proposed 7,600 square-foot Fire Station..

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/94	The City Council approved an application to Rezone (Z-0136-94) the subject site as part of a larger request from R-E (Residence Estates) to C-PB (Planned Business Park). The Planning Commission recommended approval.
09/14/95	The Planning Commission approved a Plot Plan Review [Z-0136-94(1)] for an enterprise business park, which includes the subject property. The Planning Commission recommended approval.
02/07/96	The City Council approved an Extension of Time [Z-0136-94(3)] for an enterprise business park, which includes the subject property. The Planning Commission recommended approval. The Extension of Time expired on 12/21/96.
11/05/03	The City Council approved applications for a Special Use Permit (SUP-2909) and a Site Development Plan Review (SDR-2908) for a recording studio and for television broadcasting and other communication services adjacent to the west side of Martin L King Boulevard, approximately 330 feet north of Wheeler Peak Drive. The Planning Commission and staff recommended approval. The Las Vegas Enterprise Park Architectural Review Committee reviewed and approved the site plan on 08/20/03.
06/15/05	The City Council approved a Site Development Plan Review (SDR-6519) for a proposed three building, 27,672 square-foot corporate office and bank center adjacent to the southwest corner of Martin L King Boulevard and Mount Mariah Drive. The Planning Commission recommended approval. The application expired on 06/15/09.
09/10/09	<p>The Planning Commission recommended approval of companion item SDR-35380 concurrently with this application.</p> <p>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #15/gk).</p>

<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses associated with the subject site.	
<i>Pre-Application Meeting</i>	
06/30/09	The submittal requirements for a Site Development Plan Review and Variance were discussed.
<i>Neighborhood Meeting</i>	
09/03/09	A neighborhood meeting was held from 6:00 to 6:00 pm at the Doolittle Community Center located at 1940 J street Las Vegas, Nevada 89106. There were six attendees for the general public, and seven staff members (Planning and Development, City Representatives, Councilman Barlow, plus two Ward 5 Liaisons). Concerns raised included: <ul style="list-style-type: none"> • Location in office park
<i>Field Check</i>	
08/06/09	Staff conducted a site inspection and noted a well maintained undeveloped lot.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.54 acres (limits of construction)
Gross Acres	6.06 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	LI/R (Light Industrial / Research)	C-PB (Planned Business Park)
North	Offices	LI/R (Light Industrial / Research)	C-1 (Limited Commercial)
South	Warehouse	LI/R (Light Industrial / Research)	C-PB (Planned Business Park)
East	Undeveloped	LI/R (Light Industrial / Research)	C-PB (Planned Business Park)
West	Metro Substation	PF (Public Facilities)	C-PB (Planned Business Park)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Las Vegas Enterprise Park	X		Y*
West Las Vegas Plan	X		Y
A-O Airport Overlay District – 105 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

*Per approval letter from the Architectural Review Committee of the Las Vegas Enterprise Park dated 08/05/09.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Government Facility	7,600	1:300	24	2	17	1	
Total			26		18		N

ANALYSIS

The site complies with all Title 19 requirements with the exception of required parking. Per Title 19.04, a Government Facility requires one space per 300 square feet of gross floor area, resulting in the need for 26 spaces, two of which are required to be handicap accessible. The site plan depicts a total of 18 spaces, including one handicap accessible space, which is a 31% deviation from the standard. Staff can support the request for the parking Variance (VAR-35381) as a fire station is unlike a traditional government facility in that it will provide both work and living space for a specific number of employees, with minimal public access. The facility is expected to house no more than 12 firefighters at any time, and the parking provided is adequate.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070L states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

The Variance is appropriate given the unique function of the facility, and the maximum staffing level of the proposed fire station, and will not jeopardize the health or safety of the general public; therefore, staff is recommending approval of the request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 336 by City Clerk

APPROVALS 3

PROTESTS 0